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January 19, 2022

via ECF filing

Hon. Cathy L. Waldor  
United States Magistrate Judge  
District of New Jersey, Newark Division  
Martin Luther King Jr. Courthouse  
50 Walnut St., Room 4040, Courtroom 4C  
Newark, NJ 07101

Case: *SEC v. Vuuzle Media Corp., et al.*, Civil Action No. 2:21-cv-1226  
Re: Follow-up to Oral Argument of January 19, 2022

Dear Judge Waldor:

Further to the Court's request at the conclusion of today's hearing, the following are the five components that I posited as a structure for this Court's review of potential disclosures:

1. Require notice to the Court of an intended disclosure of discovery and a specific reason for the need to disclose.
2. Court should require the SEC Staff filing the request to certify expressly that the Staff member did not inform the requesting agency about the information or substance of the information requested, and that the requesting agency initiated the request for the information without being invited or induced to do so by the SEC.
3. The Director of the Division of Enforcement, consistent with Delegated Authority #7 (17 CFR §200.30-4(a)(7)), certify that he concurs with the request to provide confidential information obtained in discovery.
4. A representative of the agency making the request should be required to provide a sworn Declaration or Affidavit that the agency will maintain the confidentiality of the information, that the request is for its own investigative purposes, and will not make public in any fashion the information obtained.
5. Court would give the Defendants ten days to file an objection, which the Parties (SEC and Defendant) would brief for the Court before the Court rules.

DICKINSON WRIGHT PLLC

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Thank you for the Court's consideration.

Very truly yours,

  
Jacob S. Frenkel

c: Hon. Judge Katharine S. Hayden, U.S.D.J. (via ECF filing)  
All Counsel of Record (via ECF filing)